

DAVID J. GRECH
DGRECH@GRSM.COM

DAHN A. LEVINE
DLEVINE@GRSM.COM

GORDON & REES
SCULLY MANSUKHANI
YOUR 50 STATE PARTNER™

ATTORNEYS AT LAW
1 BATTERY PARK PLAZA
28TH FLOOR
NEW YORK, NY 10004
PHONE: (212) 269-5500
FAX: (212) 269-5505
WWW.GRSM.COM

July 18, 2022

VIA ECF

The Honorable Katherine Polk Failla, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *Giannone v. The Real Real, Inc.*
Case No. 1:22-cv-01941-KPF-VF

Dear Judge Failla:

We represent Defendant The RealReal, Inc. in this case, and we write jointly with Plaintiff's counsel, pursuant to Rule 2(D) of Your Honor's Individual Rules of Practice in Civil Cases, to respectfully request an adjournment of the initial pretrial conference, presently scheduled for July 20, 2022.

The scheduling of the conference for July 20, 2022 was set in the Court's May 16, 2022 Order at docket entry 12. Subsequently, on June 9, 2022, and pursuant to Defendant's request, with Plaintiff's consent, the Court ordered this case referred to the Court-annexed Mediation Program at docket entry 16. On June 29, 2022, a Notice of Mediator Assignment was issued and the deadline for the submission of the Mediator Schedule was set for July 29, 2022. Pursuant to that notice, counsel for the parties are scheduled to appear for a pre-mediation conference with the mediator appointed by the Court-annexed Mediation Program on July 21, 2022. Given the Court's recent referral of this case to mediation and the steps already taken by the Mediation Program, the parties, and counsel, in preparation for that mediation, the parties respectfully request an adjournment of the initial pretrial conference until after the resolution of the mediation process.

We appreciate the Court's attention to this matter and are available at the Court's convenience, should it have any questions.

Hon. Katherine Polk Failla, U.S.D.J.
U.S. District Court, S.D.N.Y.
July 18, 2022
Page 2 of 2

Respectfully Submitted,

GORDON REES
SCULLY MANSUKHANI, LLP

/s/ David J. Grech

David J. Grech

Dahn A. Levine

To: All counsel of record (via ECF)
Cc: Chambers (via email)

The Court is in receipt of the parties' above joint letter. For the reasons stated above, the initial pretrial conference currently scheduled for July 20, 2022, is hereby ADJOURNED *sine die*. If mediation is unsuccessful in resolving this case, the Court will set a new date for the initial pretrial conference at that time.

The Clerk of Court is directed to terminate the motion at docket entry 17.

Dated: July 19, 2022
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE